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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/538,975	06/14/2005	Roland Hans Serrander	P17115-US1	9473
27045	7590	03/16/2006	EXAMINER	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR C11 PLANO, TX 75024			WOOD, KEVIN S	
			ART UNIT	PAPER NUMBER
			2874	

DATE MAILED: 03/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/538,975	<b>Applicant(s)</b> SERRANDER ET AL.	
	<b>Examiner</b> Kevin S. Wood	<b>Art Unit</b> 2874	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 7-12 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/14/05</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **NON-FINAL REJECTION**

### ***Preliminary Amendment***

1. The Preliminary Amendment received on 14 June 2005 has been entered. Claims 1-6 were cancelled. New claims 7-12 were entered. Claims 7-12 are currently pending in the application.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 7-12 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,142,606 to Carney et al.

Referring to claim 7, the Carney et al. reference discloses all the limitations of the claimed invention. The Carney et al. reference discloses an apparatus for flexible installation of an optical patch cable in a telecommunication station between equipment in the station, the apparatus comprising: a micro duct (42) for guidance of the patch cable, the duct having duct end openings related to the equipment, the end openings being adapted to receive the patch cable for insertion into the micro duct. See Fig. 1 of the reference along with its respective portion of the specification.

Referring to claim 8, the Carney et al. reference discloses all the limitations of the claimed invention. The Carney et al. reference discloses a means for feeding the patch cable through the duct (42); means for adjusting the patch cable length between the equipment; and means for assembling a connector to at least one end of the patch cable. See Fig. 1-28 of the reference along with their respective portions of the specification. The reference discloses that it is designed to be used with optical fiber connectors and storage spools.

Referring to claim 9, the Carney et al. reference discloses all the limitations of the claimed invention. The Carney et al. reference discloses the duct (42) comprises spliced parts (elements). See Fig. 1-28 of the reference along with their respective portions of the specification.

Referring to claim 10, the Carney et al. reference discloses all the limitations of the claimed invention. The Carney et al. reference discloses the duct (42) may have more than two end openings. See Fig. 1-28 of the reference along with their respective portions of the specification.

Referring to claim 11, the Carney et al. reference discloses all the limitations of the claimed method. The Carney et al. reference discloses a method for flexible installation of an optical patch cable in a telecommunication station between equipment in the station, the method comprising the steps of: installing a micro duct (42) in the telecommunication station, the duct being installed with duct end openings related to the equipment; inserting a patch cable (66,662) into the micro duct (42) through one of the end openings; feeding the patch cable through the duct and through another one of the

end openings; adjusting the patch cable length between the equipment; and assembling a connector to at least one end of the patch cable. See Fig. 1-28 of the reference along with their respective portions of the specification.

Referring to claim 12, the Carney et al. reference discloses all the limitations of the claimed invention. The Carney et al. reference discloses the duct (42) can be guided through the cabinet wall. See Fig. 1-28 of the reference along with their respective portions of the specification.

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin S. Wood whose telephone number is (571) 272-2364. The examiner can normally be reached on Monday-Thursday (7am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney B. Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2874

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink that reads "Kevin S. Wood". The signature is written in a cursive, flowing style.

Kevin S. Wood  
Patent Examiner